

Town of Bristol
Planning Board and ZBA Meeting
January 19, 2021

Zoom meeting

Present: Joann Rogers, Karen Ellmore, Justin Steinbach, Patti Giordano, Bob Stryker, Marty Snyder, Steve Smiley, John Krebbeks, Donna Beretta, A. J. Magnan and Secretary Sandra Riker

Others present: Jennifer VanHouten

Minutes: The minutes of December 7, 2020 were reviewed and a motion to accept the minutes as written was made by Patti Giordano with a second by Donna Beretta. All Board members agreed.

Continue Reviewing Solar Law of 2019:

Chairman Snyder of the ZBA has formatted the New Draft Law of 2021 that amends and replaces the original Solar Law of 2017 and the amended version of 2019. He shared it with Chairwoman Ellmore and the Secretary for comments with the following questions to still be addressed:

1. Changed Community Solar Arrays: to read Centralized solar facilities owned by a group of ~~individuals~~ “shareholders”, who receive credits on their electricity bills for the power produced. These are sometimes referred to as “shareholder array” or “solar garden”.
2. Definitions of Large-Scale Solar and Small-Scale Solar are as follows:
 - a. Large Scale Solar Energy Facility: A Solar Energy System that exceeds 1,000 square feet in total surface area and/or has a rated direct current capacity of 25kW (kilowatts) or more.
 - b. Small Scale Solar Energy System: A solar energy system that is ground mounted or roof mounted and does not exceed 1,000 square feet in total area coverage and has a rated direct current capacity of less than 25kW (kilowatts.) The total area coverage shall include all equipment associated with the solar project.
 - c. Power Purchase Agreement (P.P.A.): changed to read; A contract between two or more parties, one which generates electricity (the seller) and the other who is looking to purchase electricity (the buyer). The P.P.A. defines all the commercial terms for the sale of electricity between the two parties, including when the project will begin commercial operation, schedule for delivery of electricity, payment terms, and termination. This can also be known as an “Electricity Power Agreement”.
3. With regard to section 5.B.4 agreed to strike the sentence including “Aesthetics”.

4. Strike the "Violations" section from both small scale (5.B.8) and large scale (6.B.6) and move it to No. 9 Penalties.

5. Moved the sentence below to 6.B.2.b. under special use permit requirements and it reads "Applicant shall provide a letter of credit acceptable to the governing board and the Town Attorney to ensure that funds are available to build the facility and to decommission the facility per Section 6.B.4."

After discussion of the points above a motion was made by Chairman Snyder to forward the draft to Attorney Kenyon and the Ontario County Planning Board for their review and comments before presenting it the Town Board for public hearing and final approval. This was seconded by Chairwoman Ellmore.

Other Business:

Posting of Minutes: A question was raised by AJ Magnan if we were providing the minutes of the previous meetings in an appropriate time frame. The Secretary provided the two Boards copies of minutes from 2013 where this issue was raised at that time. She provided them with a letter from Robert Freeman who was the head of the Committee on Open Government that stated minutes of a meeting must be provided two weeks after the meeting and should be made available to the public. In 2013 the two Boards agreed that if the draft minutes were available for public viewing in the Town Hall it is not necessary to post them on the webpage until they have been approved by the Boards at their next meeting.

Local Law 1 of 2020: to opt out of the Solar, Wind or Certain Other Energy Systems Tax Exemptions under Real Property Tax Law section 487, as most recently amended by Chapter 336 of the Laws of 2017.

Section1: Pursuant to the provisions of subsection 8 of section 487 of the New York Real Property Tax Law, as amended, the Town of Bristol will hereafter provide no exemption under said section 487, as amended, with respect to any solar, wind or other similar energy source or generation system as more fully defined in subsection 1 (a)-(p) inclusive of said Section 487 for any such system constructed after the effective date of this local law.

Section2: This Local Law shall be effective immediately upon its adoption and filing with the New York State Department of State. A copy of this local law shall be filed with the New York State Board of Equalization and Assessment and the office of the President of the New York State Energy Research and Development Authority.

Code Office:

Ongoing violations still being addressed.

New permits-4 new permits
Completed-4 permits
Inspections-7.

Next Meeting: will be held on the ZBA night for February in order to have the input from Attorney Kenyon and the OCPB returned to the PB and ZBA for their review and possible changes before forwarding the document to the Town Board.

February 16th and it will again be a Zoom Meeting with the information provided for attendance on the February agenda posted on the Webpage.

A motion was made to adjourn by Justin Steinbach with a second by Steve Smiley.

Respectfully submitted by,

Sandra Riker
Town of Bristol
Planning and ZBA Secretary

At the February 16,2021 Joint meeting a motion was made by Patti Giordano with a second by John Krebbreks to accept the minutes of the January 19, 2021 with the minor corrections made by the Secretary. All members present agreed.

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